

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF DECEMBER 17, 2002.

ATTENDANCE

COUNCIL: Louis C. Benjamin, Jr. (Chair - District 4), Jerry Trumps (Vice Chair - District 6), Bobby Badeaux (District 1), Robert Castille (District 2), Chris Williams (District 3), Lenwood Broussard (District 5), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk of the Council) and Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: Walter S. Comeaux, Jr. (City-Parish President), Glenn Weber (CAO), Becky LaLumia (Associate CAO/Finance Management), Benny Soulier (Director of Administrative Services), Gerald Boudreaux (Director of Parks & Recreation), Terry Huval (Utilities Director), Tim Breaux (Director of Community Development), John Raines (Public Works Director), Steve Dupuis (Legal Counsel), Tony Tramel (Director of Transportation)

COMMENCEMENT

(TAPE 1)(SIDE A)(001) AGENDA ITEM NO. 1: Call to order.

Chair Louis C. Benjamin, Jr. called the Regular Council Meeting of December 17, 2002 to order.

The Chair then announced that a Special Council Meeting will be held immediately after the Regular Meeting regarding the appointment of a constable for Ward 8 and a Special LPPA Meeting regarding the coal contract.

(TAPE 1)(SIDE A)(003) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Jerry Trumps was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE A)(006) AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

Public Works Director John Raines announced that if any residents still have hurricane debris that is not picked up to please call the Lafayette City-Parish Consolidated Government Public Works Department to report it. It is extremely important that all debris be reported before Omni is released. He also reported that a bid was awarded to JIL Tree Removal for trees on private property. There were five (5) bids. JIL will be contacting the individual property owners to secure the right of entry to get on the property to either take down the overhanging tree limb or to remove the tree that has fallen and is a hazard or public health issue. Raines stated that there were 1,618 requests for service. 981 sites were approved for removal of a total of 1000 trees.

Upon questioning by Broussard, Raines explained that at the end of the debris removal, all debris will either be entirely removed and, if not, will have a justification as to why it was not picked up, i.e., in the backyard instead of the curb, debris mixed with tin or metal, etc. He urged Councilmembers to call him if there is debris that has not been picked up.

(TAPE 1)(SIDE A)(159) AGENDA ITEM NO. 4: **CEREMONIAL PRESENTATIONS**

- a. Proclamation recognizing Chicago Cubs Baseball Manager, Dusty Baker, who will be in Lafayette on January 6, 2003. The proclamation was presented to Walter Guillory, Director of the Lafayette Housing Authority, for Mr. Baker.
- b. Presentation of a "Distinguished Citizen Award" to Ms. Theresa Porter. Mrs. Porter accepted the award from Chair Benjamin. Mrs. Porter recently retired after 29 years in the daycare business.

(TAPE 1)(SIDE A)(260) AGENDA ITEM NO. 5: **COUNCIL ANNOUNCEMENTS**

Williams requested an update from Administrative Services Director Benny Soulier regarding the

raise of minimum wage to \$6.15 for lower level employees. Soulier explained that the Civil Service Board met approximately 3 weeks ago and 2 concerns were expressed: 1) justification of raising the minimum wage for lower level employees only; and 2) compression between steps at the lower level of the pay scale. Soulier further explained that no action was taken at that meeting, however; the Board will meet on Wednesday, December 19, 2002 to discuss this issue again. Williams explained that he will be appearing before the Civil Service Board to express concern regarding the 1) compression coming within cents of the next pay rate and 2) a ripple effect with other employees.

Upon questioning by Benjamin, Dupuis opined that it takes the action of both the Council and the Civil Service Board to institute the raise to make sure it does not violate any Civil Service rules.

Councilmember Bobby Badeaux then recognized the City of Scott's newly elected Chief of Police Chad Leger.

RESOLUTIONS

(TAPE 1)(SIDE A)(351) AGENDA ITEM NO. 6: R-070-2002 A resolution of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute a right of way instrument with Atmos Energy Louisiana for a section of land described in the instrument to accommodate the removal and replacement of a pipeline and appurtenances for the distribution or transmission of natural gas, a motion was offered by Badeaux, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

Williams requested a status on the contract between LCG and ATMOS. Dupuis explained that within the next 30 days, he would come before the Council to brief them on this issue. Negotiations came down to two (2) issues: 1) the indemnification language and 2) the insurance requirement. The results will be brought before the Council. For 2 to 3 years, the contract has continued on a month-to-month basis.

(TAPE 1)(SIDE A)(399) AGENDA ITEM NO. 7: R-073-2002 A resolution of the Lafayette City-Parish Council ordering and calling a special election to be held in the Parish of Lafayette, State of Louisiana, to authorize the renewal of a special tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith, a motion was offered by Menard, seconded by Badeaux, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

Lalumia explained that this renewal will expire with the 2002 tax roll.

(TAPE 1)(SIDE A)(424) AGENDA ITEM NO. 8: R-074-2002 A resolution of the Lafayette City-Parish Council declaring those holidays to be observed by employees of the Lafayette City-Parish Consolidated Government for the calendar year 2003, a motion was offered by Castille, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

The Chair requested that this resolution be amended to include a whole day on Christmas Eve and New Years Eve. Soulier explained that currently a half day is provided on Christmas Eve and does not provide any time for New Years Eve. A discussion was held on providing a half day on New Years Eve, however; it was determined that a half day would cost \$15,000 in overtime.

(TAPE 1)(SIDE A)(514) AGENDA ITEM NO. 9: R-075-2002 A resolution of the Lafayette City-Parish Council authorizing the filing of an application with the U.S. Department of Health

and Human Services Grant Program to provide services to adult men and women with co-occurring disorders of substance abuse and mental illness, a motion was offered by Williams, seconded by Trumps, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

(TAPE 1)(SIDE A)(534) AGENDA ITEM NO. 10: R-076-2002 A resolution of the Lafayette City-Parish Council authorizing the filing of an application with the State of Louisiana, Office of Rural Development to provide for funding for the Duson Volunteer Fire Department, a motion was offered by Menard, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

(TAPE 1)(SIDE A)(548) AGENDA ITEM NO. 11: R-077-2002 A resolution of the Lafayette City-Parish Council approving the budget of revenues and expenditures of the Acadiana Criminalistics Laboratory for FY2003. *Item was deferred.*

(TAPE 1)(SIDE A)(551) AGENDA ITEM NO. 12: R-078-2002 A resolution of the Lafayette City-Parish Council requesting legislative assistance for agriculture through disaster aid relief by stating the Lafayette City-Parish Council's support for Interior Appropriations Bill HR 5093 and Weather Disaster Assistance Bill SA 4481, a motion was offered by Menard, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

Broussard requested that this resolution also be sent to the Local Farm Bureau and the Congressional and Acadiana Legislative Delegation.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(580) AGENDA ITEM NO. 13: O-291-2002 An ordinance of the Lafayette City-Parish Council providing for the issuance and sale not exceeding Fourteen Million Five Hundred Thousand Dollars (\$14,500,000) of Public Improvement Sales Tax Refunding Bonds; Series 2003, of the City of Lafayette, State of Louisiana; prescribing the form, and fixing the maturities thereof and providing for the payment of said bonds and the application of the proceeds thereof to the refunding of certain bonds of said City; approving the Official Statement in connection therewith, accepting the offer to purchase by Morgan Keegan & Company, Inc., of New Orleans, Louisiana; and providing for other matters in connection therewith. *Item was deferred.*

(TAPE 1)(SIDE A)(582) AGENDA ITEM NO. 14: O-298-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenue in the amount of \$93,075 of funds received from the Department of Health and Hospitals Office for Addictive Disorders and increasing the salaries of the Administrator, Medical Services Coordinator, Clinical Services Coordinator, and the Administrative Specialist I by 3 percent and adding one (1) part time Psyche Aide for the Acadiana Recovery Center within the Department of Community Development, a motion was offered by Trumps, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

Breaux explained that the funds are Department of Health and Hospital monies that are run from the Federal Government to the State down to the City. This began with the reduction of beds

from 21 to 18 causing a reduction in employees. Instead of rehiring the additional employees lost, the job duties were redistributed among the remaining employees. Now he is trying to bring up their salaries to justify the additional work load. These employees are under the State pay scale and these increases will bring them up just under the median. The net savings will go to operational costs. Williams stated that he supported this effort to insure that those employees are in the right class and getting the correct compensation.

(TAPE 1)(SIDE B)(024) AGENDA ITEM NO. 15: O-302-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government, to adjust court reporters' salaries for Lafayette's share in accordance with Louisiana R. S. 13:961 by increasing Parish General Fund PY Fund Balance by \$31,577.00 and increasing appropriations within the Division of the District Court Judges by \$31,577.00, a motion was offered by Menard, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Menard

NAYS: Broussard

ABSENT: Stevenson

RECUSED: None

Motion was approved.

(TAPE 1)(SIDE B)(043) AGENDA ITEM NO. 16: O-303-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$43,473.00 from Adult Correction Facility Improvement Project to Council Reserve, a motion was offered by Menard, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(053) AGENDA ITEM NO. 17: O-304-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$43,473.00 from Council Reserve to Parish Courthouse Improvement Fund within the Department of Public Works, a motion was offered by Menard, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard

NAYS: None

ABSENT: Stevenson

RECUSED: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(068) AGENDA ITEM NO. 18: O-305-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$435,029 to the Old Federal Building Renovations account within the Department of Public Works for additional funding needed. *Item was deferred.*

(TAPE 1)(SIDE B)(069) AGENDA ITEM NO. 18: O-306-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$17,700 from Fire and Police Civil Service to a Special Council Reserve. *Item was deferred.*

ANNOUNCEMENT OF VACANCY ON BOARDS/COMMISSIONS

(TAPE 1)(SIDE B)(070) AGENDA ITEM NO. 20: Due to a term expiration, a vacancy will exist on the Alarm Review Board for a four year term effective January 19, 2003. This slot is a minority appointment.

Individuals wishing to volunteer may submit a resume for the above vacancy and must be registered voter and resident of Lafayette Parish, LA. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Monday, January 6 with Council appointment to be made on January 7, 2003.

CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

(TAPE 1)(SIDE B)(079) AGENDA ITEM NO. 21: Appointment of Kermit Bouillion to the Acadiana Resource Conservation & Development Council for a three year term effective January 1, 2003.

A motion was offered by Broussard, seconded by Trumps to appoint Kermit Bouillion to the Acadiana Resource Conservation & Development Council, and the vote was as follows:
YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard
NAYS: None
ABSENT: Stevenson
RECUSED: None
Motion was unanimously approved.

(TAPE 1)(SIDE B)(092) AGENDA ITEM NO. 22: Appointment of Hardy Duhon to the Lafayette Convention & Visitors Commission for a four year term effective December 31, 2002 (Retailers Association).

A motion was offered by Trumps, seconded by Broussard to appoint Hardy Duhon to the Lafayette Convention & Visitors Commission, and the vote was as follows:
YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard
NAYS: None
ABSENT: None
RECUSED: None
Motion was unanimously approved.

(TAPE 1)(SIDE B)(105) AGENDA ITEM NO. 23: Appointment of Sydney Williams to the Lafayette Convention & Visitors Commission for a four year term effective December 31, 2002 (minority appointment).

A motion was offered by Williams, seconded by Trumps to appoint Sydney Williams to the Lafayette Convention & Visitors Commission, and the vote was as follows:
YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard
NAYS: None
ABSENT: None
RECUSED: None
Motion was unanimously approved.

(TAPE 1)(SIDE B)(119) AGENDA ITEM NO. 24: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission And/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
C-P President	Ronnie Desormeaux P. O. Box 81544 Lafayette, LA 70593	Board of Codes & Flood Plain Adjustment	4 years	12/31/2002

INTRODUCTORY ORDINANCES

(TAPE 1)(SIDE B)() AGENDA ITEM NO. 25 - 31: A motion was offered by Menard, seconded by Trumps, to approve the introduction of the following ordinances, in-globo, and the vote was as follows:
YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Menard
NAYS: None
ABSENT: Stevenson
RECUSED: None
Motion was unanimously approved.

25. O-307-2002 An ordinance of the Lafayette City-Parish Council amending O-219-99 so as to transfer a contract approved by the Lafayette City-Parish Council for J. Lee Leonard and Jennie Barnette Leonard d/b/a The Bank at 500 Jefferson Street to participate in the State of Louisiana Restoration Tax Abatement Program.
26. O-308-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring

\$108,787 from Devalcourt Drive Project to Reserve - Streets.

27. O-309-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$108,787 from Reserve to Moore Park Soccer Complex - Phase I within the Department of Parks and Recreation for additional funding needed
28. O-310-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Multi-Year Capital Improvements Budget of the Lafayette City-Parish Consolidated Government to advance up to \$1,500,000 for engineering, architectural, construction and other costs on the Doc Duhon/Robley Drive Extension bond project scheduled for FY 2002-2003 and declaring the official intent of the Lafayette City-Parish Consolidated Government to expend general funds or sales tax revenues for purposes for which the bonds of the City are anticipated to be issued and to later reimburse such expenditures from sale proceeds.
29. O-311-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenues \$40,721 and increasing the Kaliste Saloom Frontage Phase I Project within the Department of Public Works for additional funding needed.
30. O-312-2002 An ordinance of the Lafayette City-Parish Council declaring the Gilman Substation Electric Distribution Feeder Ties to 7051, 7053, 7550, 7551, and 7552 Project a public necessity and authorizing the acquisition of property and the necessary rights-of-way and other property rights requisite to the construction of said project, either on an amicable basis or through the expropriation process, if necessary
31. O-313-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of \$90,536.00 of Workforce Investment Act (WIA) Title I-B Dislocated Worker Funds to the Workforce Investment Act (WIA) Title I-B Adult Funds, and appropriating same within the Workforce Development Division Budget, Department of Community Development.

(TAPE 1)(SIDE B)(173) AGENDA ITEM NO. 32: Comments from the public concerning the above Introductory Ordinances.

No comments.

ADJOURN

(TAPE 1)(SIDE B)(179) There being no further business to come before the Council, Chair Benjamin declared the Regular Council Meeting adjourned.

NORMA A. DUGAS
CLERK OF THE COUNCIL